

**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**Applicant(s): Giardino, David

Docket No.

CP-5165

Application No.

10/840,132

Filing Date

05/06/2004

Examiner

Chukwurah, Nathaniel C.

Group Art Unit

3721

Invention:

CONTROL DEVICE FOR A POWER IMPACT TOOL

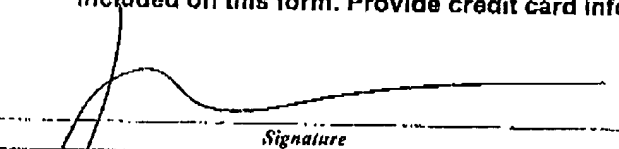
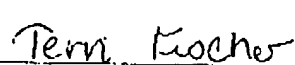
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(Identify type of correspondence)is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300)on January 26, 2006  
(Date)Terri Fischer

(Typed or Printed Name of Person Signing Certificate)

Terri Fischer

(Signature)

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<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>CP-5165</b>	
Applicant(s): <b>Giardino, David</b>						
Application No. <b>10/840,132</b>	Filing Date <b>05/06/2004</b>	Examiner <b>Chukwurah, Nathaniel C.</b>	Customer No. <b>5409</b>	Group Art Unit <b>3721</b>	Confirmation No. <b>7236</b>	
Invention: <b>CONTROL DEVICE FOR A POWER IMPACT TOOL</b>						
<b>COMMISSIONER FOR PATENTS:</b>						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	12 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	2 -	3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>19-0513</b> <input type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 Signature <b>Jeffrey D. Washville</b> Reg. No.: 46,366  <b>Schmeiser, Olsen and Watts LLP</b> <b>3 Lear Jet Lane, Suite 201</b> <b>Latham, NY 12110</b> <b>(518)220-1850</b>			Dated: <b>January 26, 2006</b>  <div style="border: 1px solid black; padding: 5px;"> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on  <u>January 26, 2006</u>          (Date)</p> <p style="text-align: center;">          Signature of Person Mailing Correspondence</p> <p style="text-align: center;"><b>Terri Fischer</b>          Typed or Printed Name of Person Mailing Correspondence</p> </div>			
cc:						

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Giardino, David

Docket No.: CP-5165

Serial No.: 10/840,132

Group Art Unit: 3721

Filed: 5/6/04

Examiner: Chukwurah, Nathaniel C.

Title: **CONTROL DEVICE FOR A POWER IMPACT TOOL**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO OFFICE ACTION**

This paper is being filed in response to the Office Action mailed on November 16, 2005. Applicant requests this Amendment be entered in the above-identified application and reconsideration of the application in view of the Amendments and Remarks that follow.

10/840,132